

### REMARKS

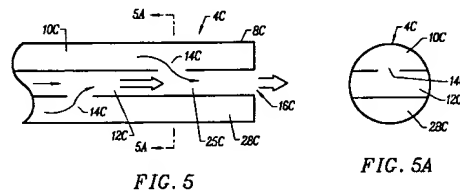
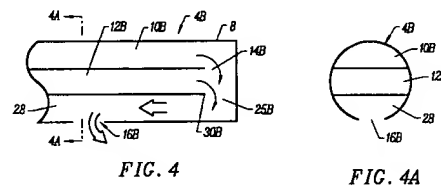
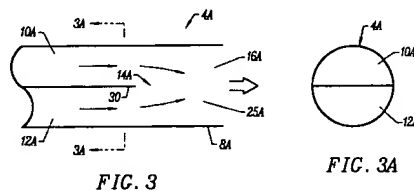
Claims 1-27 are currently pending. Claims 1-12, 14, 15 and 19-23 are withdrawn.

Claims 13, 16-18 and 24-27 stand rejected under 35 U.S.C. 102(b) as allegedly being anticipated by U.S. Patent No. 5,833,652 to Preissman et al.

Reconsideration of the rejection is requested because the cited '652 patent does not at least disclose or suggest a **"passageway containing a selectively permeable membrane"** as recited in independent claims 13 and 18.

The cited '652 patent generally regards a catheter that can mix two or more components at its distal end just prior to them being discharged from an opening at the distal end of the catheter. *See, e.g.*, '652 patent at col. 1:25-29. It does so by allowing the different compounds to move through passages linking otherwise isolated lumens. Figures 3 through 5A of the '652 patent illustrate these lumens and the passages connecting them.

U.S. Patent      Nov. 10, 1998      Sheet 2 of 2      5,833,652



As can be seen, in each instance the passages 14, 14A, 14B, and 14C are open orifices that simply allow the entire content of the lumens to mix with the contents of the other lumens. There is nothing to inhibit the movement through any of the passages. Comparatively, the claims recite a selectively permeable membrane positioned to selectively pass compounds. At

least based on this distinction, claims 13 and 18, and all of the claims that depend there from, are patentable over the '652 patent.


**CONCLUSION**

Reconsideration and allowance of each of the pending claims is requested as they are patentable over the cited references at least based on the preceding discussion.

The Office is authorized to charge any underpayment or credit any overpayment to Kenyon & Kenyon's Deposit Account No. 11-0600.

Respectfully submitted,  
KENYON & KENYON LLP

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